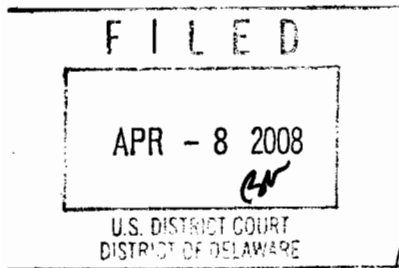


IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT COURT OF DELAWAREBlake et al  
VS.  
Health Care C.M.S. et alCase / Civil Action # 1:07-CV-  
405JJFMOTION TO UPHOLD AND OR MOTION  
OF RETAINMENT FOR PREVIOUS DISMISSAL

Comes now Raymond E. Blake, prose litigant in this instant civil Action case # 1:07-CV-405JJF. Plaintiff respectfully brings forth this instant Motion which is A "MOTION to uphold and or Motion of Retainment" in this instant matter whereas plaintiff was previously Dismissed without prejudice as of Feb. 21<sup>st</sup>, 2008 by the Honorable Joseph J. Farnan, Jr. in regards of untimely filing of an authorization form. Plaintiff has written letters to the honorable court explaining that he indeed did forward the proper document to the court on and or before the deadline of the scheduled filing.

Plaintiff alleges that he placed the proper document in the hands of an correctional officer who is a named Defendant in civil action # 1:07-CV-749JJF for mailing to the honorable court. Plaintiff had no way of knowing if the officer mailed his document due to the established procedure that is in structure at the facility he was confined in; that facility being the Sussex violation of probation center.) WHEREAS, Plaintiff respectfully request of or to having his instant Motion "GRANTED" which is A "MOTION TO UPHOLD AND OR MOTION OF RETAINMENT"

FOR PREVIOUS DISMISSAL" where plaintiff was wrongly dismissed without prejudice due to an error made in the mailing procedure at the facility he was housed at. Plaintiff prays that the honorable court has mercy on him and reissue him another authorization form that he will immediately complete and effectively forward to the appropriate agency.

Date: 4-4-08

Respectfully submitted;  
Raymond C. Blake  
Raymond E. Blake  
SBI #377092 Rm #323  
Pretrial #3 SCI  
P.O. Box 500  
Georgetown, DE.  
19947

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT COURT OF DELAWARE

Blake et al  
vs.  
Healthcare C.M.S. et al

CASE/CIVIL ACTION #1:07-CV-  
405JJF

CERTIFICATE OF SERVICE

I, Raymond E. Blake, Plaintiff, Pro-se, hereby certify that this document titled "MOTION TO UPHOLD AND OR MOTION OF RETAINMENT FOR PREVIOUS DISMISSAL" was given to "Prison officials" on this 4<sup>th</sup> day of April, 2008, for the forwarding to the below listed party(s) by certified mail - via united states postal service, first class postage prepaid.

① office of the clerk  
United states District court  
844 N. King Street, Lockbox 18  
Wilmington, Delaware 19801-3570

Date: 4-4-08

Respectfully Submitted,  
Raymond E. Blake  
Raymond E. Blake  
SBI # 377092 pretrial #3  
Rm # 323 SCI  
P.O. Box 500  
Georgetown, DE. 19947

IM: Raymond E. Blake Bldg: Petr 191#3  
SUSSEX CORRECTIONAL INSTITUTION Rm # 323  
P.O. BOX 500 581# 377092  
GEORGETOWN, DELAWARE 19947

U.S. MARSHAL  
X-RAY

WILMINGTON DE 197  
07 APR 2008 PM 3 T

LET US DARE TO  
THINK, SPEAK AND  
John Adams, 1765  
USA FIRST CLASS FOREVER

office of the clerk

United States District Court

844 N. King Street, Lockbox 18

Wilmington, DE.

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